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MEMBERS OF THE CITY COUNCIL

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MARK NIELSEN
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July 23, 2009

Department of Housing and Community Development
1800 Third Street
Sacramento, CA 95811-6942

RE: City of San Juan Capistrano
General Plan Annual Progress Report

To Whom It May Concern:

Please find attached a certified copy of the General Plan Annual Progress report from the City of San Juan Capistrano.

Pursuant to Government Code Section 65400 the City Council has adopted Resolution 09-07-21—01 approving the General Plan Annual Progress Report that has been forwarded to the Governor's Office of Planning and Research (OPR) and the Housing and Community Development Department (HCD).

If you if you have any questions or concerns please contact me at (949) 234-4410 or gtaylor@sanjuancapistrano.org. Thank you for your consideration.

Sincerely,

Grant Taylor,
Assistant Community Development Director

Enclosures: Resolution No. 09-07-21-01
General Plan Annual Progress Report

RESOLUTION NO. 09-07-21-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN
CAPISTRANO, CALIFORNIA ACCEPTING THE CITY'S FY 2008-2009
GENERAL PLAN ANNUAL PROGRESS REPORT

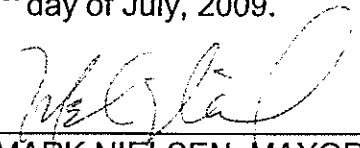
WHEREAS, Government Code Section 65400 mandates that cities submit an annual report on the status of the General Plan and progress toward its implementation to their legislative bodies, the Governor's Office of Planning and Research (OPR) and the Housing and Community Development Department (HCD); and

WHEREAS, on June 23, 2009, the Planning Commission of the City of San Juan Capistrano reviewed the draft General Plan Annual Progress Report and forwarded the document to the City Council; and

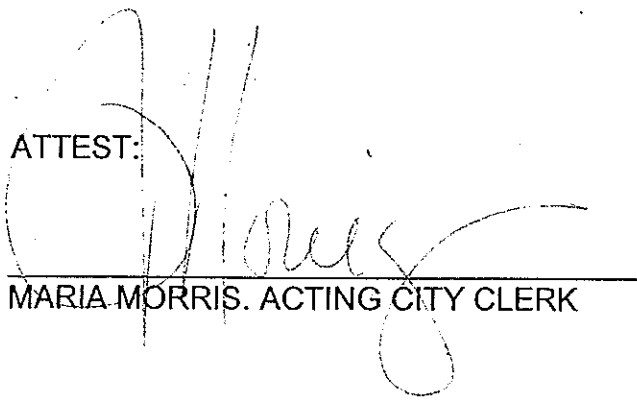
WHEREAS, on July 21, 2009, the City Council of the City of San Juan Capistrano reviewed the draft General Plan Annual Progress Report and found that it addresses the requirements outlined in the preceding Government Code section.

NOW THEREFORE BE IT RESOLVED, that the City Council hereby accepts the General Plan Annual Report, attached hereto as Exhibit "A", and directs that it be forwarded to the appropriate state agencies.

PASSED, APPROVED AND ADOPTED this 21st day of July, 2009.


MARK NIELSEN, MAYOR

ATTEST:


MARIA MORRIS, ACTING CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF SAN JUAN CAPISTRANO)

I, MARIA MORRIS, appointed Acting City Clerk of the City of San Juan Capistrano, do hereby certify that the foregoing **Resolution No. 09-07-21-01** was duly adopted by the City Council of the City of San Juan Capistrano at a Regular meeting thereof, held the 21st day of July 2009, by the following vote:

AYES: COUNCIL MEMBERS: Allevato, Freese, Hribar, Uso and Mayor Nielsen
NOES: COUNCIL MEMBER: None
ABSENT: COUNCIL MEMBER: None

MARIA MORRIS, Acting City Clerk

CITY OF SAN JUAN CAPISTRANO

***GENERAL PLAN
ANNUAL PROGRESS REPORT***

***FISCAL YEAR 2008-2009
ADOPTED July 21, 2009***

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1. INTRODUCTION

In accordance with the provisions of California Government Code Section 65400(b), this report describes the status of the San Juan Capistrano General Plan and the City's progress toward its implementation. More specifically, the report details the City's progress toward: (1) meeting its share of the Regional Housing Needs Assessment established by the Southern California Association of Governments (SCAG); (2) implementing the housing objectives established by the Plan's Housing Element; and (3) implementing the objectives of other Elements of the General Plan.

2. GENERAL PLAN ADOPTION AND AMENDMENTS

1. Adoption Dates of General Plan Elements

The City's adopted General Plan includes the following Elements:

<u>General Plan Element</u>	<u>Latest Adoption</u>
Land Use Element ¹	2004
Conservation and Open Space Element ^{1,2}	2003
Circulation Element ¹	1999
Housing Element ¹	2001
Noise Element ¹	1999
Safety Element ¹	1999
Cultural Resource Element	1999
Community Design Element	2002
Growth Management Element	1999
Parks and Recreation Element	2002
Public Services and Utilities Element	1999
Floodplain Management Element	1999

¹ Mandatory Element(s)

² Open Space Element and Conservation Element combined.

2. General Plan Amendments

During the reporting period, the City was processing and/or had approved the following General Plan Amendments:

- GPA 06-02 – Seasons II Senior Affordable Apartments: A senior citizen affordable project with 38 apartment units on approximately 1.2 acres at the corner of Paseo Espada and Rancho Viejo Road. The project required a General Plan Amendment from "General Commercial" to "Affordable Family/Senior Housing". The GPA was approved by the City Council on May 15, 2007. The project is under construction.
- GPA 06-03 – St. Margarets Episcopal School Master Plan: A master plan for expansion of an existing K-12 private school campus from 157,731 to 232,982 gross square feet (GSF), including expansion of the campus acreage from 17.48 to 26.64 acres and consolidation of the expanded site under the "Public & Institutional" land use designation. The school is located at 31641 La Novia Avenue, and generally located along the west side of La Novia Avenue between Calle Arroyo and Rancho Viejo Road and the north side of Calle Arroyo between La Novia Avenue and Rancho Viejo Road. The Master Plan is under consideration by the Planning Commission.

- GPA 07-01 – Distrito La Novia / San Juan Meadows: A proposed project consisting of a mixed use development on the 18.8 acre Distrito La Novia property including 68,200 square feet of commercial-retail use, 27,500 square feet of office use, and 140 residential units, and an amended subdivision/development plan for the previously approved 135.1 acre San Juan Meadows property to develop 1-5 single-family dwellings and a maximum 775-horse equestrian center. The general plan amendment for a portion of the property was from “Specific Plan / Precise Plan to “Planned Community”. Staff is preparing the Environmental Impact Report (EIR) for consideration by the Planning Commission.
- GPA 07-02 – Housing Element Update: Per State law, cities are required to update the Housing Element of their general plans a minimum of every five years. Therefore, the City has initiated its update, to be adopted in 2009. The Housing Element is a guide to providing availability of housing for all income groups within the community. The Housing Element identifies and analyzes existing and projected housing needs and household characteristics. In addition, it contains a statement of goals, policies, quantified objectives, and scheduled programs for the preservation, improvement and development of housing in the community. As part of the update process, the City is required to perform a site inventory analysis to identify adequate sites for emergency shelters, transitional housing, supportive housing, single-room occupancy housing, second units, farm workers, manufactured housing, mobilehomes, and multifamily housing. The new Housing Element will provide a complete overview and plan for how the City will implement its affordable housing goals through 2014.
- GPA 08-01 – Serra Village Medical Mixed Use: A proposal to amend the General Plan Land Use Map from “Public & Institutional” to “Specific Plan / Precise Plan” to develop an approximate 300,000 square foot medical mixed use project including a surgery center, medical offices, retail stores, and professional offices. The City Council has authorized initiation of the General Plan Amendment, conducted a joint meeting with the Planning Commission, and the applicant is pursuing the Environmental Impact Report (EIR) for consideration by the Planning Commission

3. GENERAL PLAN IMPLEMENTATION

1. General Plan Housing Element

In July, 2008, the City Council adopted an updated Housing Element. The California Department of Housing and Community Development (HCD) subsequently provided review comments to the City on the adopted element. The City has been working diligently with HCD to respond to their comments and receive HCD notification that the Housing Element has been certified in compliance with the provisions of Government Code Section 65580 et. seq. Staff anticipates City Council final consideration in the near future.

2. Housing Element Implementation

The updated Housing Element has been under review by the California Department of Housing and Community Development (HCD) and the City expects to gain HCD certification in the near future. During the reporting period, the City and the Community Redevelopment Agency have continued efforts to implement the Housing Element's goals and policies. The City's progress towards meeting the Regional Housing Needs Assessment (RHNA) housing production objectives is as follows:

**Number of New Housing Permits Issued by Income Range
July 1, 1998 – June 30, 2008**

Type	Very-Low Income	Low Income	Moderate Income	Above Moderate Income
Single-Family	10	0	0	674
Duplex	0	0	0	0
Multifamily	53	122	16	0
Mobile Home	0	0	0	0

The following chart shows the required number of new dwelling units required by the Regional Housing Needs Assessment (RHNA), the number of new units constructed during the current reporting period, and the number of housing units remaining to be constructed, by income category:

City's Progress on Housing Goals – July 1, 2008 through June 30, 2014

Income Group	RHNA	New Dwelling Units Permitted or Covenanted During 2008-2009	Remaining New Construction Needed
Very Low	228	42	186
Low	188	12	176
Moderate	210	0	210
Above Moderate	313	9	304

In addition to the quantified housing objectives established by the Housing Element to meet the RHNA requirements, the City adopted several goals in the Housing Element. The following section lists the goals and objectives followed by a summary of the City's progress towards meeting the goals from adoption of the Housing Element through June 30, 2014.

Housing Rehabilitation & Improvements

- a. **To obtain the rehabilitation of 100 units over the next five years. For the purposes of this goal, the City anticipates that 20 units per year will be rehabilitated.** *The City has rehabilitated a total of 242 residential units since 2000. During 2007-2008 the City rehabilitated 35 residential units. Funding during this fiscal year was provided from the 2006 Over-The-Counter and 2007 HOME grants awarded to the City from the State of California and from CDBG and HOME program income. When loans made with HOME and Community Development Block Grant funds are repaid, this income is then used to fund additional housing rehabilitation loans. Six of the 35 loans processed during the reporting period were funded by the program.*
- b. **Continue enforcement of regular maintenance of all housing stock in accordance with the provisions of Title 8, Chapter 12, Property Maintenance of the City's Municipal Code.** *The Title 25 inspections are completed by the Community Development Department on an annual basis based upon complaints and on an as needed basis only.*

The City continues to apply for and receive HOME funding to continue assisting low-income households with health and safety repairs through the City's Owner-Occupied Housing Rehabilitation Program.

- c. **To continue programs to conserve the affordability of 1,350 housing units. This is to be accomplished by the continued enforcement of the Mobile Home Rent Stabilization Program and rent restrictions on assisted housing units.** *This on-going program is administered by the Community Development Department and the City Manager's Office. The City has adopted an ordinance regulating the maximum allowable mobile home space rent increase a park owner may impose each year. The ordinance sets forth the process for the City to determine if the proposed space rent increase is warranted.*

The City received an application from the owner of Capistrano Terrace Mobile Home Park to close the park. The City hired a consultant to prepare the Relocation Impact Report. The report was completed in December, 2007. The owner of the park elected to postpone the closure process. The Community Development Department will suspend the application until the owner decides whether or not to move forward.

Housing Production

- a. **To facilitate the production of 416 units through approved and potential developments over the next five years which will be affordable to very-low and low-income households. To meet this objective, the City will provide expedited development review of any development application**

for affordable units. The following projects have been or are being processed:

Habitat-for-Humanity Project: On March 15, 2005, the City Council authorized staff to work with Habitat for Humanity of Orange County, Inc., on their offer to develop 27 affordable ownership units at the Calle Rolando site. During the current reporting period, the City has processed six of the 27 building permits for the affordable dwelling units. The project received all final approvals and began construction in July, 2007. The project is expected to be complete by July 2010

Little Hollywood Phase II Project: In May, 2006, the City Council and the Community Redevelopment Agency initiated the development of the Little Hollywood Phase II rental housing units. The project includes the addition of ten affordable units to the fourteen existing affordable units located at Mission and Ramos Streets. The affordability covenants will restrict the 10 units to very-low income households for a period of 55 years.

San Juan Hills Senior Housing: During 2005-2006, the City approved a General Plan amendment and rezone application on February 21, 2006 from a private developer to develop property on San Juan Creek Road with an affordable housing project for seniors. The General Plan and rezone allowed up to 18 dwelling units per acre, with three of the 18 units per acre to be affordable (1 moderate and 2 low-income units). During this reporting period, an initiative petition challenging the approval of this GPA was subsequently qualified for the November 7, 2006 general election ballot and the voters denied the project.

Seasons Phase II Senior Apartment Expansion Project: In November, 2006, the San Juan Capistrano Community Redevelopment Agency ("Agency") authorized purchase of 1.2 acres at the northwest corner of Paseo Espada and Rancho Viejo Road for an affordable senior housing apartment project. The site was purchased at a cost of \$2,510,000. The Agency also entered into a Disposition and Development Agreement with San Juan Capistrano Housing Investors II, LP, to authorize a \$3,394,000-\$4,900,000 loan to construct the 38-unit senior apartment affordable project. In March, 2007, the City approved a General Plan Amendment and an Architectural Control application for Seasons Senior Apartments Phase II. The project is adjacent to and under the same management as the existing Seasons I project just north of the site. The approved affordability covenants restrict 28 units to very-low income households and 10 units to low-income households for senior citizens age 55 or older for a period of 57 years from the date of issuance of the Certificate of Occupancy. The units are have been under construction and are anticipated to be complete by August, 2009.

b. To facilitate the production of 416 affordable rental units within the City. To meet this objective, the City will provide expedited development review of any development application for affordable units within the next two years. On July 7, 2009 the City Council considered initiating a general plan amendment of a portion of the vacant land at the northwest corner of Camino Capistrano and Junipero Serra Road for possible workforce housing. The site totals approximately two (2) acres and identifies three proposed conceptual variations of between 25 and 44 affordable housing units in either two or three story structures.

Housing Assistance

- a. Provide housing assistance for at least 50 low or very-low renter households through the implementation of a rental supplement program. The Agency provides rental assistance, emergency rent relief, and security deposit assistance to very-low and lower income households. From 2007 to 2008, a total of 32 households received assistance through this program. A total of 11 very-low and/or lower income households received monthly rental assistance and two households received security deposit assistance (first and last months rent) and one household received emergency rent relief.

Additionally, the Community Redevelopment Agency owns and rents 14 units in Little Hollywood to very-low and lower-income households. In August, 2005, the Agency revised the Little Hollywood program guidelines and adopted 55-year affordability covenants for the 14 rental units. Ten of the 14 units will be restricted to very-low income households and four of the units are restricted as lower-income units.

- b. Assist in the creation of 100 new rental units for low income households. This will be achieved in working with private development applicants in the identification and processing of residential development plans within the next two years. This is related to the new construction goals noted above. See the previous discussion under Housing Production, subsection (b) above.
- c. Implement an Emergency Foreclosure and Rent Relief Program to prevent, on a one-time basis, the eviction of a very low or low income household due to financial reasons. Two households on an annual basis are to be assisted.. This program was adopted and implemented in 1998 as the "Rent Relief Program." The City provides a maximum of two months' rent for emergency rent relief to low-income households as needed.
- d. Maintain a Rental Securement Program to assist very low and low income households who do not have sufficient funds for securing a rental unit due to a requirement of the landlord for first/last month rent and/or security deposit for two (2) households on an annual basis. The

security deposit and/or first-last months' rental assistance is offered to all participants in the City's Rental Subsidy Program and is also available to any qualified low-income resident in the City. During 2008-2009, two households received security deposit assistance totaling \$4,620.

- e. **Continue to assist very low and low income households in purchasing their residence through the City's First Time Homebuyer Program. Depending on funding levels, annually assist 20 households (CDBG and HOME funded program). During fiscal year 2008-2009, the City did not provide any down payment assistance through this program, due to lack of applications for this program. The City continues to monitor the housing market for opportunities to assist low income households with first time homebuyer loans.**
- f. **Provide financial assistance to correct existing Health and Safety violations for low and very-low income households (CDBG grant funding). Since 1998 the City has been awarded two CDBG and five HOME grants from the State of California to assist in providing zero-interest housing rehabilitation loans to low-income owner-occupied households. These grant funds, along with program income from paid off loans, have allowed the City to assist 242 households with much needed health and safety repairs. A total of 35 residential housing rehabilitation loans were completed during this reporting period. Funding was provided from 2006 Over-The-Counter and 2007 HOME grants awarded to the City from the State of California and from CDBG and HOME program income received during the year. Six of the 35 loans processed during this fiscal year were funded with program income.**
- g. **To establish an emergency grant fund to correct Health and Safety violations which require immediate attention (Community Redevelopment Agency housing set-aside funds). The City anticipates implementing this program by June 1998. The Owner-Occupied Housing Rehabilitation Program has been implemented. Any eligible low-income homeowner who requires emergency work is moved up to the top of the waiting list for a rehabilitation loan using HOME grant funds. If no grant funds are available, Agency housing set-aside funds may be used. However, the City has been successful in obtaining CDBG and HOME housing rehabilitation grants since 1998 so grant funding has been available to assist with emergency repairs. Agency funds have been used to meet the match and leverage requirements on the grants.**

Removal of Government Constraints

- a. **Continue a program to constantly evaluate procedures and regulations that will result in expeditious processing of development applications at reduced cost to the applicant. The State Housing Community Development Department (HCD) has requested that the City of San Juan Capistrano and**

other Orange County municipalities to allow administrative approval of multiple-family residential projects. The City is evaluating implementation.

- b. **Remove procedural barriers to creating affordable housing.** *The City amended its growth management ordinance in 1999, which establishes a maximum cap on the number of residential building permits that may be issued in a given calendar year, to exempt Affordable Housing projects that include affordability agreements. Affordable housing project continued to be exempt from the growth management ordinance.*

Equal Housing Opportunities

- a. **Increase general awareness of fair housing laws by increasing publication in newspapers of local circulation and official documents of the City and the Community Redevelopment Agency.** *This program has been implemented. All City and Agency documents provide fair housing information. A fair housing flyer published by the U. S. Department of Housing and Urban Development is available at the Community Development Department front counter. In addition, the City's web-site includes a description of all available housing programs and the fair housing logo and flyer.*
- b. **Designate the City Manager's Office for referral of complaints to the appropriate enforcement agency for investigation and prosecution.** *This program has been established. Housing complaints (i.e. rent increases, landlord disputes, etc.) are referred to the Orange County Fair-Housing Council. Mobile home park space rent-increase complaints are referred to the City Manager's Office. The City's mobile home park rent control ordinance sets forth the hearing process for proposed space rent increases by a park owner which exceed the maximum allowable annual increase. The Code allows annual increases which do not exceed the Consumer Price Index (CPI) for the greater Los Angeles MSA.*

3. Land Use Element Implementation:

- a. **Implement a program to fully review and update the City's zoning and subdivision regulations.** *This program was completed and became effective November 15, 2002. The City has adopted Code Amendments to Title 9 Zoning Code to include:*
 - 1) Code Amendment 07-02 was adopted by the City Council updating the Zoning Code, Title 9, by amending in their entirety Section 9-1 (General Provisions), 9-2 (Administration), 9-4 (Subdivisions), and Appendix A (Definitions);
 - 2) Code Amendment 07-05 was adopted by the City Council updating Section 9-3.543, Title 9, Zoning Code, in its entirety regulating signs.

- 3) Code Amendment 08-04 was adopted by the City Council updating Section 9-3.515, Title 9, Zoning Code, regulating equestrian commercial and non-commercial standards;

The City will be processing further updates and amendments as necessary to ensure compliance with new State and Federal housing legislation.

4. Conservation & Open Space Element Implementation:

- a. **Update and implement the Open Space Master Plan to ensure proper preservation, maintenance and management of open space and recreation resources and agricultural activity within the City. Reevaluate the Open Space Master Plan in terms of evolving open space, parks and recreation demands and economic resources available in the City. This program is on-going. Preservation, maintenance and management of open space, recreation resources and agricultural activity are being implemented. Implementation consists of a regular trail maintenance program, weed abatement program, active farming, maintenance of historic buildings within City open space (i.e. Joel Congdon House, Roger Y. Williams/Swanner House) and active recreation at the Sports Park. The City Council has appointed a fourteen (14) member Open Space Committee to pursue acquisition of open space, habitat restoration, update the Open Space Master Plan, and pursue Measure M Funding. The San Juan Capistrano citizens approved Measure Y providing \$30 Million in bond monies. The Northwest Open Space continues to be retained in its natural state. The Open Space Committee with the approval of the City Council has identified a Phase I development in the North West Open Space area consisting of community gardens, group picnic area, preservation of the Williams/Swanner historic property and citrus grove. The City has compiled a list of people interested in using the North West Open Space area.**
- b. **Support the joint-venture use of open space areas to reduce City maintenance costs and increase City revenues for maintaining historic resources, open space, parks and recreational facilities. To implement the City's Historic Preservation Strategy adopted in April, 2002, the City's Community Development Department hired a full-time Historic Preservation Manager in November, 2003 and that position remains staffed.**

Funds have been budgeted for National Register nominations, historic studies and archaeological reports and monitoring. . The Roger Y. Williams/Swanner House property including 2.6 acres with the house, garage, water tower and some surrounding citrus trees was listed in the National Register of Historic Places in January 2007. The house will be rented to a residential tenant for the short term, and the North West Open Space Phase I planning will identify whether or not another ultimate use will be pursued to ensure its continued preservation.

The City has approved a reuse proposal by South Coast Farms' non-profit, San Juan Family Farm Museum, for the Joel Congdon House. The Congdon house will be used by The Ecology Center as a sustainable agriculture/history museum and demonstration gardens. The City is bidding a CIP for the ADA improvements required for this use and the project is anticipated to be completed by spring 2009.

- c. **Assess development proposals for potential impacts to significant natural resources pursuant to CEQA, Natural Community Conservation Program and associated federal regulations.** *This program is on-going. The City is a participating agency in the NCCP process and the San Juan Basin Watershed Study presently being revised by the U.S. Army Corp of Engineers.*

To help improve water quality of the City's watershed areas, the City budgeted funds and hired a Senior Civil Engineer in 2002 to oversee recycling efforts, to review existing and proposed development water run off into the storm drains and creeks, and to review drainage. The City amended the General Plan Conversation & Open Space and Land Use Elements in July, 2003. The amendment modified and expanded the policies and implementation programs related to water quality as set forth in the adopted Drainage Area Master Plan and the Local Implementation Plan and as required by the storm water permit issued by the San Diego Regional Water Quality Control Board.

The Redevelopment Agency also completed a 10+ acre habitat restoration project on Trabuco Creek as part of a wetland mitigation program and is currently conducting a five-year maintenance program.

- d. Utilize the voter's approved Measure Y funding (i.e. approximately \$30 million) for the acquisition of open space, restoration of habitat and other limited open space related uses.
- e. The fourteen (14) member Open Space Committee (including Planning and Finance subcommittees) continues to pursue acquisition of open space, habitat restoration, update the Open Space Master Plan, and pursue Measure M funding.
- f. The Open Space Committee has recommended approval to the City Council of a Phase I Open Space Development in the City's North West Open Space area totaling approximately eleven (11) acres consisting of the following amenities:
- Park entry;
 - Community Gardens (2.5 acres);

- Group Picnic Area (4.5 acres);
 - Williams/Swanner Historic Property & Citrus Grove (2.6 acres).
- g. The City began construction of Los Rios Park in October 2008, a passive park consisting of a plaza and gardens surrounding the historic Montañez Adobe, a tot lot, equestrian trail, picnic areas, and native drought tolerant landscaping totaling 4.6 acres. The park is scheduled to open August 29, 2009.

5. Circulation Element Implementation:

- a. **Development of a nexus fee program for funding transportation and circulation improvements.** *This program has been adopted by the City Council and became effective May 21, 2002. The program provides a significant funding source to assist with the construction of arterial street improvements throughout the City. The City continues to implement and monitor this program.*
- b. **Adopt and implement a capital improvement program including the phasing and construction of needed traffic improvements identified in the City's Master Plan of Streets and Highways and the recommendations contained in the General Plan Traffic Analysis.** *The City Council has adopted a Seven-Year Capital Improvement Budget for 2008-2014 which includes projects designed to implement the above-mentioned programs. Follow-up programs for relieving traffic congestion have been implemented, including modifying the signal timing and traffic flow on Del Obispo Street from Plaza Street to Alipaz Street.*

The City has also initiated the public review process and/or the preliminary design of the following circulation improvement projects in the City:

- *Redesign of the Interstate-5/Ortega Highway interchange.*
 - *Improvements to the I-5/Camino Capistrano/Stonehill intersection.*
 - *Improvements to the I-5 southbound ramps at Camino Capistrano.*
 - *Improvements to the Camino Capistrano/Del Obispo Street intersection.*
 - *Improvements to the Junipero Serra Road/Rancho Viejo Road intersection.*
 - *Widening of the Del Obispo bridge at Trabuco Creek and improvements to the Del Obispo Street/Paseo Adelanto intersection and the Del Obispo Street/Alipaz Street intersection.*
 - *Widening of Ortega Highway between the easterly City limit and Calle Entradero.*
- c. **Process consideration of an amendment to the Circulation Element for the possible deletion of the extension of Camino Las Ramblas and San Juan Creek Road for review and approval by the Orange County**

Transportation Authority. In 2002 the City Council adopted a strategic transportation plan, and the City continues to work with OCTA, CalTrans, the County of Orange, and Rancho Mission Viejo (developing the "Ranch Plan," a 14,000-dwelling unit planned community located immediately east of the City boundary) to implement other circulation improvements to mitigate the traffic impacts of regional development.

6. **Noise Element Implementation:**

- a. The Noise Element identified fourteen implementation measures to protect the community from excessive noise pollution. All fourteen implementation measures have been previously implemented and will continue to be implemented on an on-going basis.

7. **Safety Element Implementation:**

- a. The Safety Element identified twenty-one implementation measures that are part of on-going programs. The City is continuing to implement each of these implementation measures on an on-going basis.

8. **Cultural Resources Element Implementation:**

- a. The Cultural Resources Element has identified seven specific measures that, although previously implemented, will require periodic update and revisions. As previously noted, the City has adopted a funding strategy for assisting in the preservation of cultural resources in the community, and retains a Historic Preservation Manager staff position to oversee the preservation efforts.

9. **Community Design Element Implementation:**

- a. Develop a design and improvement plan based on the City Capital Improvement Plan, including strengthened landscaping, identification graphics, downtown lighting and other physical improvements to enhance major public thoroughfares and activity areas. The final phase of the downtown lighting is being delayed pending the completion of the utility under grounding along El Camino Real. The undergrounding work on El Camino Real is expected to be completed in the future pending 20A matching funds.

The City also completed a survey of downtown sidewalks in 2006 and has administered preparation of the Verdugo Street Design Study. Both of these studies seek to enhance pedestrian circulation and the overall pedestrian experience in the downtown.

In August, 2003, the City prepared and adopted a comprehensive update of its new Architectural Design Guidelines, and continues to use the design

review process and review by the Design Review Committee to ensure that all new development projects comply with the Community Design Element.

- b. In addition to the above, the Community Design Element establishes six additional implementation measures related to community design. Implementation programs include:

- Develop a design and improvement plan based on the City Capital Improvement Plan.
- Implement the Historic Depiction Program established by City Council Policy 606.
- Utilize a site development permit process and CEQA in the review of proposed development projects.
- Implement landscape requirements for public and private development projects.
- Implement the City's Street Tree Master Plan.
- Assess development proposals for potential impacts for important geologic features pursuant to CEQA.

Each of these measures has been previously implemented and is on-going.

10. Growth Management Element Implementation (mandated by Measure M):

- a. The Growth Management Element is a mandatory element of the General Plan per Measure M, a county-wide transportation funding measure passed in Orange County. In order to receive funding, the City is required to have adopted a Growth Management Element and established minimum levels of service for traffic, public safety response to emergencies, etc. *The Element identifies two implementation measures which the City has previously implemented and continues to monitor on an on-going basis.*

11. Parks and Recreation Element Implementation:

- a. Reevaluate the Open Space Master Plan in terms of evolving open space/recreation demands and economic resources of the City. *Active recreation is being conducted at the Sports Park to meet community demands. As funds become available, future recreation components may be incorporated into the North West Open Space area and other open space areas and parks.*

During the previous reporting period, the City Council established the Northwest Area Strategies Committee (NASC) to study the City's open space resources and determine if additional open space should be acquired by the City. The Planning Sub-committee of the Open Space Committee (formerly

the NASC), has begun work on a comprehensive update of the City's Open Space Master Plan originally adopted in June 1992.

The City also completed the parks needs assessment. The Open Space Master Plan 2007 Update will include goals & policies to address defined recreation needs and provide guidance on open space preservation and acquisition.

- b. Periodically review park facility dedication and development fee requirements to ensure that reflect community demand, current land and construction costs. In May 2002, the City adopted a new fee schedule with updated park in-lieu fees.**
- c. Coordinate with adjacent cities and agencies to study the feasibility of distributing the cost of building and maintaining recreational facilities to the actual users. Rental fees have been established for the users to offset building and maintenance costs of recreational facilities. These fees are reviewed periodically to determine if they are comparable to those of adjacent cities. The most recent fee updates were adopted and became effective in July 2006. There are four additional implementation measures that have been previously adopted and are on-going.**

12. Public Services and Utilities Element Implementation:

- a. Create a list of priorities and criteria by which maintenance and restoration of City-owned historic buildings and sites will be established and conducted, as well as a phasing schedule for commitment of resources to historic building rehabilitation. The City's Historic Preservation Manager has developed Building Maintenance schedules and annual inspection checklists for the City's historic buildings. Inspections of all buildings occur annually. Recommendations for maintenance and budgeted amounts have been identified for current and future fiscal years. Additional funding has been budgeted for major restoration projects through the City's Capital Improvement Program (CIP). The following projects have been identified:**

- *Re-roof and restoration of the Blas Aguilar Adobe*
- *Structural rehabilitation and restoration of the Parra Adobe*
- *ADA improvements to the Joel Congdon House*
- *Seismic rehabilitation of Montanez Adobe*
- *Restoration of the Congdon House water tower*
- *Foundation repair of the Roger Y. Williams/Swanner house and water tower*

The Historic Preservation Manager manages these CIP projects for historic sites and ensures that regular building maintenance is being scheduled by appropriate City staff. In addition, the Manager coordinates National

Preservation Week activities and educates the public about historic preservation through various public presentations and the City's website.

- b. **Implement the City's Domestic Water Master Plan (DWMP) recommendations for replacement and improvement of water services and facilities, including implementation of the Groundwater Recovery Plant project.** *The City's Groundwater Recovery Facility was completed and operational on December 2, 2004. The facility provides 5.1 million gallons per day (MGD) and during the reporting period, provided 4,800 acre feet of potable water. The City continues to implement various components of the adopted Domestic Water Master Plan (DWMP) and the following projects are in the planning or construction stages or have been completed:*
 - *Replacement of the Terminal Reservoir No. 3.
Status: Completed and on line November 2006.*
 - *Replacement of Cook Reservoir (250S).
Status: In progress; floor and half of walls in place.*
 - *Installation of the Via Estenaga replacement water distribution main.
Status: Completed August 2006.*
 - *Replacement of Rancho Viejo Road water distribution main.
Status: new recycled line completed July 2007.*
 - *Construction of the 760S Reservoir.
Status: Completed and on line July 2006.*
 - *Construction of the 250S Reservoir.
Status: Budget transferred to participate in SMWD's Chiquita emergency storage reservoir (CESR). The CSER is under design and is scheduled to go out to bid in April 2008.*
 - *High West Side Line.
Status: Under design. Scheduled for bid by January 2008.*
- c. **Expand the Supervisory Control and Data Acquisition System (SCADA) in order to monitor and maintain water supply facility integrity.** *Staff solicited a proposal from the SCADA systems original designer to perform a system assessment.*
- d. **Evaluate a new sewer fee structure to provide additional revenue to maintain and replace sewer facilities in accordance with the Sewer Master Plan.** *The new sewer fee study (Sewer Master Plan) was completed in early 2004. The revised connection fee was approved by the City Council in November, 2004.*

- e. Add the City's sewer system information to the City's GIS system. *This project was completed in fiscal year 2001/2002.*
- f. There are a total of eighteen implementation measures that have been identified in the Public Services and Utility Implementation Plan. *All other implementation measures not specifically mentioned above have been implemented and continue on an on-going basis.*

13. Floodplain Management Element Implementation:

- a. Review and consider the recommendations contained in the Army Corps of Engineers San Juan Creek Watershed Management Study. Create a list of priorities and criteria by which improvements to the creeks, floodway and flood channels will be established and conducted. *As noted previously in this report, the City is a participating agency in this watershed study. The study was completed by the U.S. Army Corps of Engineers.*
- b. There are six additional implementation measures that have been included in the Floodplain Management Implementation Plan. *Each of these measures has been implemented and is on-going.*

foregoing instrument is a correct copy of the original on file in
s office. Attest: 8/22 2009
City Clerk of the City of San Juan Capistrano, County of Orange,
State of California.

By: [Signature]

